

LAWS

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AND

ORDINANCES.

Touching Military Discipline.

Translated into English by I. D.



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Laws and Ordinances touching Military Discipline.

V V Hereas by daily experience, many disorders are found, to grow amongst those that bear Arms, tending to the great damage of those Countreys, and prejudice of the Government thereof, which notwithstanding, are not any where so punished as in reason they ought, because there is no certain Order, or Law touching like matters as yet Decreed and Published: The States General of the United Provinces, have therefore (with the Advice of the Council of State of the same) ordained, appointed, and decreed, Do by these Presents Ordain, Appoint, and Decree the Orders or Laws here ensuing, which, their will is, to give from point to point strictly observed and followed by all those that bear Arms in their Service; To which end it shall be every where Published, and accordingly Sworn to by the Soldiers.

1. **F**irst, he that shall take the Lords Name in vain, or blaspheme the same, shall for the first time make an honourable amends, and be kept three days in Prison at Bread and Water: The second time shall have a glowing Iron thrust through his Tongue, then be stripped to his Shirt, and so banished out of the United Provinces.

2. The like Penalty shall they incur, for the first and second times, who shall either do or say ought in despite, or derision of God's Word, or the Ministers of the Church.

3. All wilful Murthers, Raps, Adultery, Firing of Houses, Thievry, Violence, Outrage, Falshood, and other like bad Facts, and open offences, or unnatural Abuses, shall be punished with Death.

4. None shall any way Outrage, Strike, Knoke, Beat, Threaten or dishonestly touch any Widows, Married or Unmarried Women, such as are in Child-bed, or with Child, or any young Children, on pain to be Discharged without Money or Pasport, or else punished Corporally, according to the quality of the offence. Likewise all common Whores shall for the first time be expelled out of the Camp with shame, and being found there the second time, soundly Whipped and Banished.

5. He that shall have done or conspired ought against the States, the Countrey, Towns, or other places thereof, or against any Governours, or Captains in the same, whereby the publick State of the Land may be in any sort endammaged, or endangered: As also, whosoever shall consent thereunto, shall without any mercy be Hanged.

6. The like Punishment shall they also incur, whosoever coming to the knowledge of any such matter, shal not reveal it to their Captain, or chief Officers.

7. None shal raise any Mutiny, or make any unlawful Assembly, on whatsoever secret, cloaked, or other purposes: Nor for what cause soever it be, without Order from their Commanders, on pain of hanging,

8. In like sort shal they also be punished, that shal be present at such Assemblies, or call, stir up, and incite any to be present thereat. And is to be understood also, that such Officers as shal be at the like Seditious Meetings, shal receive punishment before all other Soldiers, except those (that are no Authors thereof.)

9. He that shal speak ill of the States General, or particular,

ticular, the Council of State, or other Superiours, or shal speak ought to despise or deride any of them, shal without mercy be punished with Death.

10. He that shal have spoken any words tending to Sedition, Mutiny, or Disobedience, or that having heard such words, and shal not presently acquaint his Captain therewith, shal be punished with Death.

11. In like sort shal they also be punished, who rehearse any such words in preience of private Soldiers, either of themselves, or by suggestion of others; or practise ought, whereby any Mutiny or Sedition may grow.

12. No man being out of Garded, or Besieged places, or in other like cases, shal use any Speech or Correspondence with the Enemy, nor send him any Messages, or Letters, nor receive any from him, nor deal in like sort with any of his Confederates, be it in secret or publick, without the Consent first had of his Governour or Captain, or that he make it forthwith known unto him, unless he be thereto authorised. Neither shal any man be adherent, or in any sort assistant to the Enemy, on pain of death.

13. Likewise none shal Confer or Converse with any Trumpet or Drum of the Enemies, or any other sent on Message from him, but they only who are thereto appointed, on pain of death.

14. None shal in going, departing, lying still, Mustering, or in Garrison, do Outrage, or Spoil to the Inhabitants of these Countreys, their Favourers or Confederats, or take from them any victuals, Money or ought else, without paying duly for the same, nor yet throw down, or spoil any Water-Milns, or Water-Works, nor set on fire the same, or other Houses, or else the Camp, at the breaking up thereof, without special Command from the General, or other chief Officers, on pain of Death.

15. Likewise

15. Likewise none shal either do or practise ought against any Persons, Towns, Villages, Forts, Havens or whatsoever Goods warranted by Passports, or other Assurances from the Generality, on pain of Death.

16. He that will depart from one Company to another, or elsewhere, or will leave the Colours under which he serveth, is to have a sufficient Passport from his Captain, or Commander, and failing therein, shal be punished with Death.

17. Whatsoever Captain shal entertain Soldiers without a lawful Discharge from their former Captain, shal be punished with Death.

18. If any Soldier (serving on Horse or Foot) shal knock or strike his Host, Hostess, their Man or Maid-servants, he shal for the first time be kept three days at Bread and Water; the second, make an honourable amends, and before the whole Watch be disarmed, and then banished out of the Company. And if the party so stricken be maimed, or Blood drawn, then shal the Soldier offending have his Hand stricken off.

19. Whosoever shal have taken or stoln any Victuals, or other Provisions brought up, towards the Camp, Garrison, or any Towns, or Places under the Jurisdiction of the States General, shal be Hanged.

20. Likewise, none shal out of the Camp or Garrison forcibly take, or else buy up before hand, any Victuals or Goods bound thitherwards, before the same shal be brought to a fit place for sale, and Taxed: Neither shall he Rob any Cabbin, Shop, Tent, Victualer, or Merchand that is there, for the help of the Camp or Garrison, on pain of Death.

21. He that shal go out of the Quarter from his Colours, or Garrison, further than a Canon Shot, without his

his Captains leave, shal be punished with Death.

22. Whosoever shall go out of the Camp, Besieged-Town, Fort, or other place, without the special consent of his Captain, or Officer, for any cause, be it for Forrage, or ought else, shal be Hanged.

23. Whosoever shal take any Cattel, or Beasts within the Lands that ly under the obedience of the Generality, shal be punished as a Thief.

24. He that in Marching by Land towards the Field, or in returning thence, shal forsake his Colours, or Cornet, shal without any mercy be punished with Death.

25. And whosoever (not being visited with manifest Sicknes, and the same known to his Captain, or Commander) shal keep along with the Baggage, or ride on the Waggon, shal be disarmed before the whole Company, and then banished without Money or Passport.

26. If any shal neglect his Watch, or Service committed unto him, he shal be punished with Death.

27. If any Souldier shal be found sleeping on his Sentinel, he shal without any mercy be punished with Death.

28. Whatsoever Souldier shal, either by day or night, depart from his Sentinel, where he hath been placed by his Corporal, unless he be called thence, or relieved by the said Corporal, shal receive punishment of Death without any mercy.

29. None shal declare or make known the Watch-word to the Enemy, or any other, nor give any other Word than is given him by the Officer, on pain of Death.

30. Whosoever shal absent himself out of the Court of Guard above two hours in the day-time, or any within the night, without his Corporals leave, shal be punished with Death.

31. None shal without lawful cause raise any Tumult,
or

or alarm, nor Discharge a Piece by night, nor make any noise, nor do ought else, whereby the same may grow (without cause) on pain of Death.

32. He that shall presume within the Camp, Quarter, or place, where he lyeth in Garrison, as also after the Watch is set, to draw his Weapon shall forfeit his Life: As also if he do it out of the Camp, Town, or place, without leave of his Officer.

33. He that shall strike any man with his Sword undrawn, or with a Cudgel, Stone, or otherwile, that Bloud follow, shall lose his Hand.

34. He that shall give any one a Box on the Ear, shall in presence of the Company take the like Box again of the party so wronged, and besides be Disarmed and Banished the Company.

35. No Souldier shall without Order from their chief Captains, or Commanders, hold any common Meeting, or gathering together, be it to demand Money or ought else, nor yet be present at such Assemblies, on pain of Death. Provided always, that such Captains, or Commanders as shall suffer the same to happen at undue Seasons, and in unlawfullwise, shall (for an example to others) be punished with Death before all the Souldiers.

36. If any shall call for Money as they are Marching in the face of the Enemy, or upon any Enterprize, they shall receive punishment of Death without any mercy.

37. If it chance that the Monethly Entertainment be not payed on every day, or that it cannot be sent unto the Souldiers for some cause, be it through any hinderance of the Enemy, or otherwise, none shall therefore make any Tumult, or speak Seditious Words, or seek to force his Captain to the payment thereof, neither yet any whit the less Discharge, and have care of his Marches and Watches,
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but contenting himself with a reasonable Loan, until the Money be come, or may come, shal fully perform the Duty required of a good Soldier. And whosoever doth the contrary, or accompany those that do it, shal be punished with Death.

38. No Captains, Lieutenants, or Ensigns, shal depart out of their place where their Companies ly in Garrison, whether it be to sollicite for payment of their said Companies, or for their own businels, without leave of their Commanders or Governour, on pain of Death.

39. He that shal in any Quarrel, fight, or otherwise call those of his Nation to help, or gather an Assembly, shal be hanged.

40. He that shal be found by day or night out of the Camp, or place Besieged, without his Captains leave, shal be punished with Death.

41. Whosoever shal go on Free-booting, and commit Spoils, Extortions, and Theft, shal be hanged.

42. If one Soldier challenge another into the Field, without leave from him that commands in that Quarter, he shal be punished with Death.

43. If any Corporal, or other commanding the Watch, shal suffer two Soldiers to go forth to fight, he shal without mercy be punished with Death.

44. Any Soldier being wronged by Word or Deed, he shal repair to him that commands in the Quarter, who after the hearing of both Parties, shal cause satisfaction of the wrong to be made unto the Party interested, with bare head, and in presence of the whole Watch: And if he find cause, shal also disarm the Wrong-doer, and banish him out of the Company.

45. And if there be no Witness of the Quarrel, then shal the said Commander cause the Parties to agree in his
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presence, whereto if they will not condescend, then both, or he that denyes it, shall be disarmed, and banished out of the Company.

46. Whatsoever Soldier or Commander shal go out of the Camp, Town, or Fort, or enter thereinto by any other way than at the Ports and ordinary Entrances, shall be hanged.

47. If any Soldier shal refuse the Command of his Captain, or any other who Commands over him in the service of the States General, and not perform the same, he shall be punished with Death; as he likewise shal, who transgresseth any of the Generals Commandments published by sound of Drum or Trumpet.

48. At the sounding of any Alarm, every one shal resort to his Ensign, or Cornet, and whosoever comes not thither (unless it be on apparent necessity) or runs to another place without consent and special order from his Commander, or comes not so soon as his Ensign, shal be punished with Death.

49. Every Soldier shall aid and defend his Colours by day and night, and on the first warning repair unto them, not departing thence, until it be brought into a place of safety, on pain of death.

50. If any shal depart out of the Order, or Rank wherein he is placed, unless it be on necessary occasions, and that he had therewith acquainted his Officer, he shall be punished with death.

51. He that shal first begin to flee in Battel or Assault, may lawfully be slain thereupon by any one; and if he escape, he shal be declared a Villain, and receive punishment of death without mercy.

52. None that is appointed to the defence of any Breach, Trench, or Skonce, be it a Captain or Soldier, shal willingly

lingly forsake the same, or through any false or coloured occasions or excuses, absent himself from thence, without sufficient order, or warrant allowed by the Council of War, on pain of death.

53. None shal surrender or deliver to the Enemy any place, the keeping whereof is committed unto him, on pain of death.

54. Likewise none shal run from his Quarter, in a Be-sieged place, cry for Composition, or speak thereof, be unwilling to fight, labour, or defend their Quarter, or make others unwilling thereunto, or do ought else in such a place, whereby the defence thereof may be hindred, on pain of death without any mercy.

55. If any man run away to the Enemy, or in such his flight be taken by the Enemy, he shal be punished with death.

56. No Captains shal seduce, or entice away each others Soldiers, on pain of death.

57. Whosoever shal by word or deed busie himself with the Sergeant. Major doing his Office, be he Captain or Soldier, shal without mercy be punished with death; as he also shal, who will not content himself with that Quarter or Lodging, whereto he shal be appointed to be Quarter-master or Furrier, or who will disturb another man in his place.

58. If any Soldier having the Watch, shal come to his Colours not fully Armed, to March with the rest into the Watch, he shal for the first time be kept three days at bread and water, the second disarmed, and banished for three Months out of the Company, and the third time suffer death.

59. Every one of what condition soever he be, shall forthwith, or before the evening bring before him that

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Commands in the Quarter, all such Prisoners as shal be taken of the Enemy, on pain of forfeiting the said Prisoners, and to be punished besides with death.

60. And if any shal take Prisoner a General Commander, or other man of account of the Enemy, he is to thwith to present, or cause to be presented the said Prisoner unto the States General, or Council of State, and withal to deliver him over, as also whatsoever other Prisoners they will take to themselves, receiving therefore a reasonable reward, according to the quality and ability of the Prisoner; provided that it exceed not the sum of 5000 Guilders: And so the said Prisoner shal be at the disposing of the aforesaid States, and he that took him pretend no further interest in that behalf.

61. Likewise none shal kill any Prisoner, or set his ransom, or alter the payment of the said Ransom, suffer him to depart without leave of the General, or him that commands the Quarter, on pain of being disarmed, and banished out of these Countries.

62. And if any Prisoner be found walking along the Campezo, place of Garrison, without leave of the General, or him that commands there, he to whom the Prisoner belongeth shal forfeit him to those who shal first lay hands on the said Prisoner.

63. Concerning lawful Prizes, whosoever bring in the same, shal acquaint therewith the General, or him that commands in the Quarter, within three hours after their return, to the end they may be accordingly Registered, on pain of forfeiting the same, and to be besides punished on the body.

64. Whosoever shal have gotten any thing upon the Enemy, and giveth not notice thereof, as aforesaid, that it may be Registered, and after sold in the Camp or place of Garrison

Garrison, but shal sell, or cause it to be sold in the Places or Towns near thereunto, shal without any mercy be punished with death, to the end that better order be held in all, and no man wronged in his Right.

65. When a Soldier shall have done any offence or fault, his Captain shal be bound (on pain of three Months suspension from his Charge) to deliver the said Soldier into the Generals hands, or his that commands in the Quarter, who with the Captains, Lieutenants, and Ensigns then present, shal upon the information, which he shal cause to be taken thereof, Judge according to these Orders and Laws.

66. He that is drunk on his Watch day, shal be cashiered, and banished out of the Company.

67. If any one drink himself drunk and in his drunkenness commit any ill, or ought forbidden, he shal not thereby be excused, but so much the more sharply punished.

68. If any Captain or Soldier shal refuse the Muster or Review, he shall be Cashiered.

69. None shal at the Muster let himself be entered by a changed, or other name than his own, nor pass Muster with a borrowed Horse or Arms; neither shall any on the Muster day lend the like, on pain of being disarmed, and banished out of the Company.

70. None shal let himself be entered, or Muster under two Companies, on pain of death.

71. None shal diminish or pawn his Arms, which are appointed him by his Captain, on pain of being disarmed, and banished for six Months out of the Company.

72. None shal likewise take or pawn any Soldiers Arms, on pain of losing double the worth of the Pawn.

73. None shal play away or quite his Arms, but keep the same always clean and serviceable, on pain of being
Cashiered

Ordered out of the Company without Passport.

74. None shall by coulenage get away his Fellows Provisions, Victuals, or Arms, on pain of being disarmed, and banished for three Months out of the Company or else besides, of sustaining corporal punishment, according to the quality of the offence.

75. He that shall presume to set upon a Commissary of the Musters, or wrong him either in word or deed, shall be punished with death.

76. If any Captain give his Souldiers less than the Pay allowed him by the States, he shall be disgraced.

77. If any Soldier proffer to draw his Weapon against his Chief, or Commander, he shall be punished with death.

78. If the Provost or his Officers apprehend one or more Soldiers, none (of what degree soever) shall oppose himself there against, or rescue, or attempt to rescue the said Prisoners, on pain of death.

79. Furthermore, no Officer nor Gentleman of any Company of Horse or Foot, nor any common Soldier, shall victual in any Camp, without the Generals special consent, on pain of being disarmed.

80. Likewise all Victuallers that victual in the Camp, shall be subject to the aforefaid Articles, and the Council of War there being, on the penalty herein contained, and shall not draw any Wine or Beer for any one in the evening, an hour after Suns setting, or in the morning as much before the rising thereof, on pain of forfaiting 3 Guilders for every time they shall be found to have done so: The said Forfeault to be converted, the one half thereof to the Provosts behoove, and the other to the relief of the Poor.

81. All other abuses and offences not specified in these Orders, shall be punished according to the Ordinances, Laws, and Customs of the War.

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82. And if any Soldiers should not be present at the proclaiming of these Orders and Laws, they shal notwithstanding be as much bound to the observation of them, as the other who were present. But to the end none may pretend ignorance, and every one have notice thereof, the States General have given Order, that the same shal be every where published on the Muster-day, and charged the Commissaries to cause all the Souldiers to swear accordingly thereunto.

THus done and decreed at *Arnhem*, after sundry Conferences had hereupon with the chiefeest Commanders of these united Provinces; It being further appointed, that these Orders and Laws shal be published both in the Camp, and wheresoever else it shal be meet and requisite, and that at every Muster the Commissaries shal read and propound the same again unto the Companies. *August 13. 1590.*

By Order of the Council of States.

Chr. Huygens.

Edinburgh.

Edinburgh, August 31. 1691.

THe Lords of Their Majesties Privy Council, Do hereby
 Ordain The Articles and Rules for the better Go-
 vernment of the Forces in this Kingdom, Printed by Order of
 His Royal Majesty King Charles the Second, in the Year One
 Thousand six hundred seventy five, to be of new Re-printed,
 as the same are Altered and Amended by Their Lordships.
 And likewise Ordains The Laws and Ordinances touching
 Military-Discipline, which are Printed at the Hague in
 Anno One thousand six hundred seventy six, and by Order
 of the Council of Scotland Re-Printed at Edinburgh in
 Anno One thousand six hundred eighty nine, to be again
 Re-printed. For doing of all which, these Presents shall be
 to all Persons Concerned, a sufficient Warrant. Extracted
 from the Records of Privy Council, by me

GILB. ELIOT, Cls. Sti. Concilii.

IN I S.